

## **§ 19.50 EXTERIOR STORAGE.**

### **(a) *In R (Residential) Districts.***

- (1) All materials, machinery and equipment shall be stored within a building or fully screened so as not to be visible from adjoining or adjacent lands, except for the following: laundry drying and recreational equipment; construction materials, machinery and equipment currently being used on the premises; landscaping and agricultural equipment and machinery currently being used or intended for use on the premises; off-street parking of passenger automobiles and pick-up trucks; trash and garbage receptacles.
- (2) Reserved.
- (3) Where a rear yard or a side yard in a residential zoning district abuts a public street, trash burners and garbage receptacles are prohibited in the setback area of such rear or side yard and, if located or placed in such rear or side yard, shall be screened from view from such street.
- (4) No exception listed herein shall be construed to avoid the restrictions of §§ 19.51 or 19.52 of this chapter, or of any conditions imposed on any conditional use permit.
- (5) Before the erection of any screening required by this section, the plans for such screening shall be approved by the Manager of the Building and Inspection Division. All such screening shall consist of a solid fence or wall, or equivalent as approved by the Manager of the Building and Inspection Division and shall be constructed in a workmanlike manner, including method of construction and materials.

### **(b) *All other districts.*** In all other districts no material or equipment may be stored outside except those directly related to the principal use or those being used for construction on the premises. Under no circumstances shall motor vehicles be stored in the off-street parking spaces required for the use in § 21.301.06 of this code. At gasoline service stations, it is unlawful to store vehicles or other equipment outside a building except that at service stations in operation on May 1, 1964, where storage within a building is not practicable, tow trucks and snow plowing equipment may be stored outside but not within the setback area.

### **(c) *Business districts.*** In business districts, displays of merchandise extended more than five feet into the setback area or more than five feet in front of the existing building, if such building abuts against or extends into the required setback area, shall be construed to be an encroachment on the setback requirements and it is unlawful for the owner or occupant to permit such encroachments except: merchandise may be displayed on service station pump islands and where motor vehicles, new or used, are lawfully sold on the premises, they may be stored or displayed in off-street parking areas. Displays of merchandise shall not reduce the off-street parking area required by this chapter.

## **§ 19.52 LANDSCAPING AND SCREENING.**

### **(a) *Purpose and intent.*** The city recognizes the health, safety, aesthetic, ecological and economic value of landscaping and screening. The provisions of this section are intended to:

- (1) Add visual interest to open spaces and blank facades;
- (2) Soften dominant building mass;
- (3) Provide definition for public walkways and open space areas;
- (4) Ensure significant tree canopy shading to reduce glare and heat build-up;
- (5) Improve the visual quality and continuity within and between developments;
- (6) Provide screening and mitigation of potential conflicts between activity areas and more passive areas;
- (7) Protect and improve property values;
- (8) Improve air quality and provide a buffer from air and noise pollution;
- (9) Ensure safe and aesthetic treatment of ponding areas;
- (10) Enhance the overall aesthetic conditions within the city;
- (11) Limit sight line obstructions and drainage conflicts;
- (12) Reduce the potential for criminal and illegal activities; and
- (13) Prevent conflicts with utilities.

(b) *Landscape plans.*

- (1) Except for single family uses, a landscape plan must be submitted:
  - (A) With any application for new development;
  - (B) With any application for additions or modifications to existing development that physically impacts existing landscaping or screening; or
  - (C) When changes are made to an existing landscaping or screening plan on file with the city.
- (2) Landscape plans must be reviewed and approved by the Planning Manager or designee.
- (3) Landscape plans must include information on existing and proposed landscaping and screening in accordance with the Planning Manager's *Landscaping and Screening Policies and Procedures* and landscape designers are encouraged to review and follow the policy recommendations therein.

(c) *Landscaping standards.*

- (1) *Soil surface stabilization.* All disturbed areas outside of designated planting beds must be permanently stabilized with an established plant or xeriscaping soil cover. Unstabilized soil surfaces (bare ground, dirt piles and the like) are allowed only when required by a construction project operating under a valid permit if a permit is required. Soil surface stabilization must be completed in conjunction with the construction project within the timeline specified in § 15.201 of this code.
- (2) *Minimum number of trees and shrubs.* Excluding exceptions specified below in subsection (c)(2)(E) below, development must at a minimum provide the following numbers of trees and shrubs:
  - (A) One tree per 2,500 square feet of developable landscaping area; and
  - (B) One shrub per 1,000 square feet of developable landscaping area.
    - (i) Up to 50% of the required shrubs may be perennial plants.
    - (iii) Four perennial plants equal one shrub.
  - (C) **DEVELOPABLE LANDSCAPING AREA** is defined as the total area of a development site or phase minus the portion of that area within:
    - (i) A natural water body;
    - (ii) A protected wetland;
    - (iii) A permanent significant natural wooded area; and/or
    - (iv) A scenic easement.
  - (D) Existing healthy deciduous trees greater than four caliper inches or existing healthy evergreen trees greater than six feet in height that are located within the developable landscaping area and are not identified on the city's prohibited plant species list (see § 18.03) may be credited toward the minimum required trees on a site.
  - (E) Exceptions:
    - (i) Single- and two-family dwellings;
    - (ii) In mixed use districts (B-4, C-5, LX) the number of trees and shrubs required in this section may be reduced by up to 25 percent; and
    - (iii) Fee in lieu of planting. If landscape planting at required levels results in overcrowding of vegetation due to site constraints, the property owner may reduce the number of proposed trees and/or shrubs on the site at the sole discretion of the City Council; provided a cash fee is deposited into a city designated fund that matches the cost differential between the planting required by this provision and the vegetation actually planted on the site as specified in the *Landscaping and Screening Policies and Procedures* document.
- (3) *Minimum tree size.* Required trees must meet the following minimum size standards:
  - (A) Overstory trees must be at least two and one-half caliper inches at planting;
  - (B) Single stem ornamental trees must be at least one and one-half caliper inches at

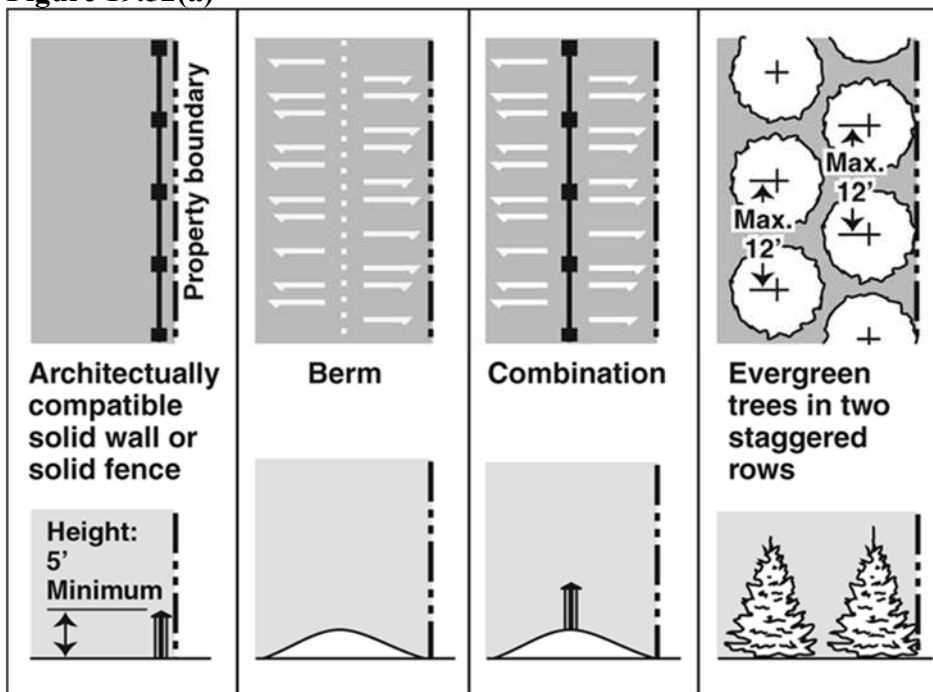
- planting; and
- (C) Evergreen trees and multi-stem ornamental trees must be at least six feet in height at planting.
- (4) *Minimum landscape yard.* An area for landscaping, kept free of parking, storage or storm water ponds, must be provided around the perimeter of a site.
  - (A) *Standards.* Unless otherwise specified in the city code, the landscape yard must be a minimum of 20 feet deep when adjacent to public or private streets and a minimum of five feet deep when not adjacent to streets with the following exceptions:
    - (i) In the mixed use districts (B-4, C-5, LX) the landscape yard may be reduced to a minimum of five feet provided the screening standards in subsection (d)(4) below are met; and
    - (ii) Outside the B-4, C-5 and LX Zoning Districts, buildings may be located within the landscape yard when otherwise allowed by the city code.
  - (B) Elements permitted in landscape yard:
    - (i) Rain gardens included in an approved landscape plan;
    - (ii) Sidewalks, bus shelters and entrance drives; and
    - (iii) Buildings when otherwise allowed by the city code.
- (5) *Streetscape.* In areas where a district or street specific streetscape plan has been adopted by the City Council, development must provide streetscape plantings as set forth in the district or street specific streetscape plan. Streetscape plantings located within the property lines of the site may be credited toward the required number of trees and shrubs. Streetscape plantings in the public right-of-way shall not be credited toward the required number of trees and shrubs. Landscaping placed or removed in the public right-of-way must receive city approvals for right-of-way plantings (see § 18.07) and must conform with city right-of-way planting policies.
- (6) *Parking island trees.* A minimum of one deciduous tree must be provided per parking lot island, with the following exceptions:
  - (A) No trees are required in parking islands used for storm water management purposes;
  - (B) No trees are required in parking islands within structured parking facilities; and
  - (C) No trees are required in parking lots with 50 or fewer spaces.
- (d) *Screening standards.*
  - (1) *Perimeter screening designed to buffer incompatible uses.* Perimeter screening designed to buffer incompatible uses is required:
    - (A) Along any off-street parking area containing over six parking spaces that lies within 30 feet of an abutting site that is residentially used and either residentially zoned or guided;
    - (B) Along any driveway to an off-street parking area containing over six parking spaces when the driveway is within 15 feet of an abutting site that is residentially used and either residentially zoned or guided;
    - (C) On industrial sites, along any property line that directly abuts a site that is residentially used and either residentially zoned or guided and along any side or rear property line that faces across a street a site that is residentially used and either residentially zoned or guided;
    - (D) Around outdoor merchandise, materials and equipment stored, kept or displayed with the following exceptions:
      - (i) In the General Industry (I-3) Zoning District, no perimeter screening is required around outdoor merchandise, materials and equipment except when required through a condition of approval or abutting or across the street from a site that is residentially used and either residentially zoned or guided;
      - (ii) In the Limited Industry (I-2) Zoning District, no perimeter screening is required around outdoor merchandise, materials and equipment when open storage has been approved as a principal use except when required through a

- condition of approval or abutting or across the street from a site that is residentially used and either residentially zoned or guided;
- (iii) No perimeter screening is required around materials and equipment being used for construction occurring on the site;
- (iv) No perimeter screening is required around merchandise displayed for sale on service station pump islands; and
- (v) No perimeter screening is required around merchandise displayed for sale when otherwise allowed by the city code and located in an area approved for such use on the site plan.
- (E) Where required by the City Council through a condition of approval; and
- (F) On institutional use sites, along any property line that directly abuts a site that is used for single-family residential uses and either zoned or guided for single-family residential use.

(2) *Perimeter screening standards.*

- (A) Perimeter screening must be a minimum of five feet in height above grade.
- (B) Perimeter screening (see Figure 19.52(a) below) must consist of:
  - (i) An architecturally compatible opaque wall or opaque fence;
  - (ii) A berm;
  - (iii) Two staggered rows of evergreen trees with trees in each row spaced at a maximum of 12 feet; or
  - (iv) A combination of the above.

(a) **Figure 19.52(a)**



(b)

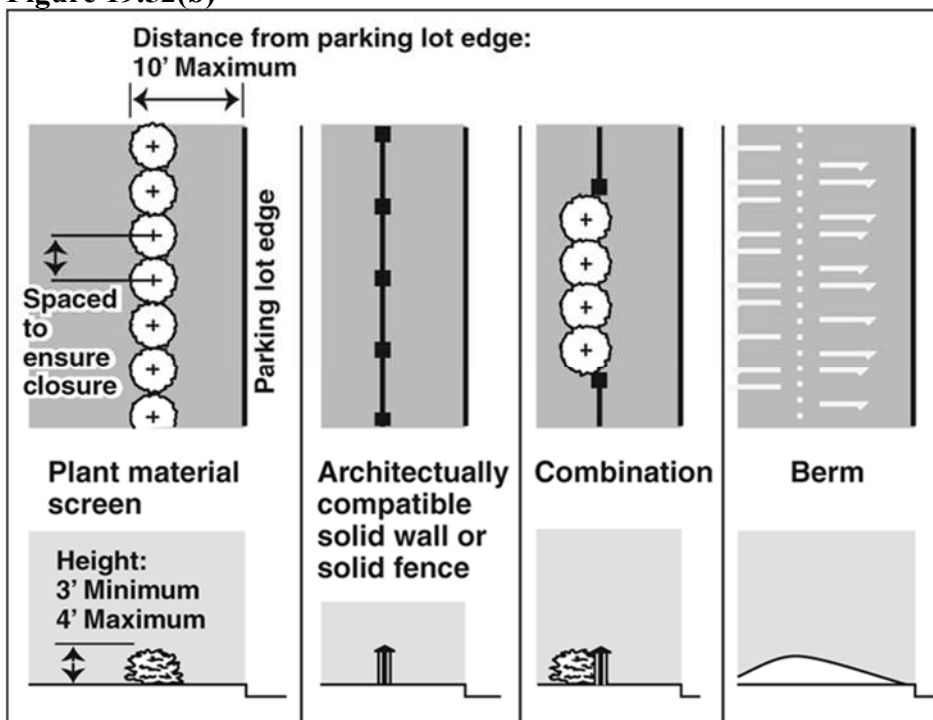
- (3) *Parking lot screening.* Parking lot screening designed to reduce the visual impact of surface parking lots; mitigate glare from headlights; improve the aesthetic quality of the area for users of the site, adjacent sites, roadways and sidewalks; and define the perimeter of the parking lot is required:
  - (A) Between those portions of an off-street parking area containing five or more parking spaces and a public street where the separation between the parking area and public street is 40 feet or less; and
  - (B) Where required by the City Council through a condition of approval.
  - (C) Parking lot screening requirements may be waived in circumstances where perimeter screening is provided or where the elevation of the parking area relative to the elevation of the street and sidewalk would make the screening ineffectual as

determined by the Planning Manager.

(4) *Parking lot screening standards.*

- (A) Parking lot screening must be placed where it will most effectively screen the perimeter of the parking lot to be screened.
- (B) Parking lot screening must be a minimum of three feet and a maximum of four feet in height as measured from the adjacent finished surface of the parking area. When shrubs are used to provide the screen, such shrubs must be at least two feet tall at planting and anticipated to grow to at least three feet tall at maturity.
- (C) Parking lot screening (see Figure 19.52(b) below) must consist of:
  - (i) A compact hedge of evergreen or densely twigged deciduous shrubs spaced to ensure closure into a solid hedge at maturity;
  - (ii) Perennial plants, including grasses, that form a continuous visual screen;
  - (iii) An architecturally compatible wall or fence;
  - (iv) A berm; or
  - (v) A combination of the above.
  - (vi) Overstory trees, transit shelters, benches, bicycle racks and similar features may be integrated as a part of the screen.

(c) **Figure 19.52(b)**



(d)

(e) *Special design features.* The city allows and encourages use of xeriscaping, rain gardens, lakescaping, native prairie and long grasses in appropriate locations. Use of these materials is further discussed in the Planning Manager's *Landscaping and Screening Policies and Procedures* document.

(f) *Restrictions.* The following restrictions on landscaping and screening apply to protect the public health, safety and welfare.

- (1) *Public easements.* Landowners are advised that landscaping features placed in a public easement may be removed without compensation if it is necessary to install, replace or maintain a public utility, sidewalk or drainage way within the easement. Trees, irrigation lines, berms, walls or fences must not be placed in a public easement where public improvements are located without the written approval of the Director of Public Works.
- (2) *Scenic easements.* No earth moving, construction of improvements, planting of new vegetation or removal of existing vegetation shall take place within scenic easements held by the city unless authorized by the city in accordance with the

easement.

- (3) *Clear view triangle.* Landscaping and screening must not interfere with the clear view triangle as specified in §§ 17.31 and 17.32.
  - (4) *Crime prevention through environmental design (CPTED).* In support of CPTED principles designed to reduce the fear and incidence of crime and to improve the quality of life, landscaping must support the objectives of natural surveillance, territorial reinforcement, access control and maintenance. These CPTED objectives are further discussed in the Planning Manager's *Landscaping and Screening Policies and Procedures* document.
  - (5) *Fire hydrant and utility clear zone.* The area three feet in radius around all fire hydrants, fire hose connections and utility boxes must be kept free of any trees, shrubs or other landscaping feature that could impede access to or use of the hydrant, fire hose connection or utility box.
- (g) *Authority of Planning Manager.* The Planning Manager shall have the authority to adopt and implement *Landscaping and Screening Policies and Procedures* for the purpose of specifying landscape plan submittal requirements, establishing surety rates and procedures, establishing landscape material costs for fees in lieu of planting on constrained sites, and offering landscaping and screening material and design recommendations.
- (h) *Maintenance.*
- (1) *Material maintenance.* The property owner must maintain all landscaping and screening materials shown on the approved landscape plan in a manner consistent with the intent and purpose of the plan and city code requirements. Approved landscaping and screening materials that die, become diseased or are significantly damaged must be replaced at the next appropriate planting period with new materials in conformance with the approved landscape plan and applicable city code standards.
  - (2) *Structure maintenance.* Landscaping and screening structures such as fences and walls must be maintained in good condition, free of graffiti, peeling paint, decay or warping, must be repaired when needed and replaced periodically to maintain a structurally sound condition.
  - (3) *Ground cover maintenance.* Ground cover must be maintained in accordance with §§ 10.37 through 10.42 of this code.
  - (4) *Removal.* Unless a modified landscape plan is approved, landscaping and screening materials and structures approved on a landscape plan must not be removed except when replaced in accordance with this section.
  - (5) *Surety.* To ensure that landscaping and screening is installed as proposed and survives through at least one full growing season, a landscape performance surety must be submitted prior to issuance of building permits for new development where a landscape plan is required. The landscape surety rate and procedures are set forth in the Planning Manager's *Landscaping and Screening Policies and Procedures* document. The surety may consist of a bond, an irrevocable letter of credit, cash deposit or other instrument which provides an equal performance guarantee to the city.
- (i) *Redevelopment compliance.*
- (1) *Redevelopment or large addition.* When either full redevelopment of a site is proposed or an addition that would increase total floor area on a site by 25% or more, a landscape plan for the entire site, demonstrating compliance with the requirements of this section, must be submitted for approval.
  - (2) *Small addition.* When an addition is proposed that would increase total floor area on a site by less than 25%, but would physically impact existing landscaping, a modified landscape plan for the portion of the site affected by the addition, demonstrating compliance with the requirements of this section, must be submitted for approval.
  - (3) Reserved.
  - (4) *Additional requirements.* Additional requirements for nonconformities are set forth in §

21.504 of this code.